

MINUTES OF THE  
MAG MANAGEMENT COMMITTEE MEETING  
September 8, 2010  
MAG Office Building - Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

Carl Swenson, Peoria, Chair	Bill Hernandez, Guadalupe
Charlie Meyer, Tempe, Vice Chair	Darryl Crossman, Litchfield Park
# Matt Busby for George Hoffman, Apache Junction	Scott Butler for Christopher Brady, Mesa
Charlie McClendon, Avondale	David Andrews for Jim Bacon, Paradise Valley
Stephen Cleveland, Buckeye	Karen Peters for David Cavazos, Phoenix
* Gary Neiss, Carefree	John Kross, Queen Creek
* Usama Abujbarah, Cave Creek	* Bryan Meyers, Salt River Pima-Maricopa Indian Community
Patrice Kraus for Rich Dlugas, Chandler	David Richert, Scottsdale
Pat Dennis for B.J. Cornwall, El Mirage	Michael Celaya for Mark Coronado, Surprise
Alfonso Rodriguez for Phil Dorchester, Fort McDowell Yavapai Nation	Reyes Medrano, Tolleson
Rick Davis, Fountain Hills	Gary Edwards, Wickenburg
Rick Buss, Gila Bend	Lloyce Robinson, Youngtown
* David White, Gila River Indian Community	Robert Samour for John Halikowski, ADOT
Collin DeWitt, Gilbert	Kenny Harris for David Smith, Maricopa Co.
Brent Stoddard for Ed Beasley, Glendale	David Boggs, Valley Metro/RPTA
Mark Gaillard for John Fischbach, Goodyear	

\* Those members neither present nor represented by proxy.

# Participated by telephone conference call.      + Participated by videoconference call.

1.     Call to Order

The meeting was called to order by Chair Carl Swenson at 12:00 p.m.

2.     Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Swenson noted that Matt Busby, representing Apache Junction, was participating in the meeting via teleconference.

Chair Swenson noted that the revised agenda, the addendum to the agenda (#5J), and material for agenda items #5I, #9, and #10 were at each place.

Chair Swenson announced that public comment cards were available to members of the public who wish to comment. He noted that parking garage validation and transit tickets were available from Valley Metro/RPTA for those using transit to come to the meeting.

3. Call to the Audience

Chair Swenson stated that Call to the Audience provides an opportunity to the public to address the Management Committee on items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Chair Swenson noted that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Public comments have a three minute time limit and there is a timer to help the public with their presentations.

Chair Swenson noted that no comment cards had been submitted.

Chair Swenson introduced the new Director of the Maricopa County Air Quality Department, Bill Wiley. Mr. Wiley expressed that he looked forward to working with all of the agencies in the region. He said that he had been in the environmental field for awhile; he was Deputy Director of the Arizona Department of Environmental Quality from 1990 to 1994.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, reported on items of interest in the MAG region.

Mr. Smith stated that MAG received a letter from the Federal Highway Administration approving the FY 2011 MAG Unified Planning Work Program and Annual Budget.

Mr. Smith noted that because MAG is a Transportation Management Area, its transportation planning process needs to be certified. He said that the effort for this period was led by the Federal Highway Administration and the Federal Transit Administration Region IX staff, with assistance from the U.S. DOT's Volpe National Transportation Systems Center. Mr. Smith advised that the Federal Highway Administration and the Federal Transit Administration have determined that the planning process conducted by MAG meets the federal requirements. He stated that the reviewers indicated no corrective actions and ten recommendations. Mr. Smith reviewed some of the recommendations, and noted they were not deficiencies: The reviewers noted the complexity of the structure of the technical committees and recommended a study of the efficiency of the structure. Also that the public appears uncertain about the exact responsibilities of regional transit agencies and providers, and encouraged a study of the efficiency of these organizations. They requested that MAG show greater transparency in documenting the financial planning process across all modes. They requested that a systematic approach to investment scenarios should be expanded to transit, similar to the recent exercise by MAG to balance the freeway program. They requested completion of a public transit framework and move toward a multimodal transportation framework that will ease the ability to make tradeoffs between highway, transit and other alternatives. Mr. Smith stated that the federal reviewers noted nine commendations: Inclusion of business representatives on the TPC; the framework studies; the performance measures in the Work Program; the integration of Human Services Programs in Transportation Programs (the MAG Human Services Transportation Plan won a national award);

bringing transit into the regional multimodal planning process, including establishing the Transit Committee; safety planning and establishing the Safety Committee; combining visualization in modeling with mode outputs; citing MAG's environmental mitigation and consultation as an FHWA best practice; and consulting with Tribal agencies.

Mr. Smith reported that lease negotiations for MAG office space have been completed with the City of Phoenix. He said that the ten year lease includes space on the fourth floor. Mr. Smith noted that the entire second floor will be converted to meeting rooms and the third floor will be updated. He added that the meeting rooms will be available to regional organizations. Mr. Smith action by the Phoenix City Council on the lease is expected in October.

Mr. Smith announced that MAG was awarded the Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report of the fiscal year that ended June 30, 2009. He noted that this award represents the 12th consecutive year MAG received this certificate of achievement.

Mr. Smith stated that the MAG Information Services Division has prepared a map that showed the 57,180 pending and foreclosed residential homes in the Valley through June 2010. He commented that with pending action by the Environmental Protection Agency regarding disapproval of the 2007 MAG Five Percent Plan for PM-10, which would further financial hardship to this region, awareness of the problem at the federal level is needed. Mr. Smith noted that the Executive Committee is in the process of establishing an economic committee to focus on the economy. He commented on the need to focus beyond the traditional transportation plan and maximize the economy in the region.

Chair Swenson asked members if they had questions for Mr. Smith.

Mr. Medrano asked if the foreclosures on the map were categorized by zip codes. He noted the concern of the cities of Tolleson, Litchfield Park, and others due to recent articles on foreclosure rates in specific municipalities. Mr. Medrano explained that using zip codes caused the rates to be skewed and resulted in astronomical rates in his city. The zip code 85353, for example, touches not only Tolleson, but also Avondale, Phoenix, and some unincorporated Maricopa County. Mr. Medrano also mentioned concerns that zip codes also can be used for reporting other statistics, such as crime.

Mr. Smith introduced Anubhav Bagley, the new Information Services Manager, whose division compiled the foreclosure maps. Mr. Bagley addressed Mr. Medrano's question by saying that the foreclosure data is collected on a daily basis and provided to MAG by a commercial service on a monthly basis. He explained that these points on the maps are geocoded to the actual parcel and are done by city, not by zip codes.

Mr. Smith stated that a table was prepared by city, but was not distributed in order to avoid comparisons. He offered to provide each agency its own table if requested.

No additional questions for Mr. Smith were noted.

5. Approval of Consent Agenda

Chair Swenson stated that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H, #5I, and #5J were on the Consent Agenda. He reviewed the public comment guidelines for the Consent Agenda. Chair Swenson noted that no public comment cards had been received.

Chair Swenson asked if any member of the Committee had questions or a request to have a presentation on any Consent Agenda item.

Ms. Robinson requested that agenda items #5D and #5F be removed from the Consent Agenda.

Mr. McClendon moved to recommend approval of #5A, #5B, #5C, #5E, #5G, #5H, #5I, and #5J. Mr. Hernandez seconded, and the motion passed unanimously.

5A. Approval of July 14, 2010, Meeting Minutes

The Management Committee, by consent, approved the July 14, 2010, meeting minutes.

5B. American Recovery and Reinvestment Act (ARRA) Status Report

A Status Report on the American Recovery and Reinvestment Act (ARRA) funds dedicated to transportation projects in the MAG region details the status of project development. The report covers highway, local, transit, and enhancement projects programmed with ARRA funds and the status of project development milestones per project. This item was on the agenda for information and discussion.

5C. Amendment of the MAG Regional Transportation Plan 2010 Update

The Management Committee, by consent, recommended approval of an amendment to the MAG Regional Transportation Plan 2010 Update to incorporate public transit service level adjustments resulting from reductions in revenues, including repeal of the Local Transportation Assistance Fund, that were reflected in public transit service schedules published in July 2010, contingent upon a finding of conformity of the FY 2011-2015 MAG Transportation Improvement Program and the MAG Regional Transportation Plan 2010 Update with applicable air quality plans. On July 28, 2010, the MAG Regional Council approved the Fiscal Year (FY) 2011-2015 Transportation Improvement Program (TIP) and the MAG Regional Transportation Plan (RTP) 2010 Update. In late July, due to reductions in revenues, including repeal of the Local Transportation Assistance Fund (LTAF), transit service level adjustments were finalized by transit service providers and reflected in transit schedules published in July 2010. These changes impacted the transit service levels in the RTP 2010 Update and the corresponding transportation network modeling assumptions. An air quality conformity regional emissions analysis (addressed under a separate agenda item) reflecting the new modeling assumptions has been conducted and indicates that the TIP and RTP will not contribute to violations of federal air quality standards. The MAG Transportation Review Committee recommended approval on August 31, 2010.

5E. Consultant Selection for the On-Call Transportation Planning Consultant Services Program

The Management Committee, by consent, recommended that Cambridge Systematics, Inc., AECOM Technical Services, Inc., PB Americas, Inc., HDR Engineering, Inc., Kimley-Horn and Associates, Inc., and Burgess & Niple, Inc. be selected as the consultants to participate in the On-Call Transportation Planning Consultant Services Program for a two-year period. The Fiscal Year (FY) 2010 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2009, was amended in February 2010 to include \$150,000 to conduct the On-Call Transportation Planning Consultant Services Program. The FY 2011 Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2010, provides an additional \$100,000 for this On-Call Program. The purpose of the program is for expediting the delivery of consultant services at MAG. For the purposes of this On-Call Transportation Planning Consultant Services program, qualified consultants were sought to assist staff in the following five services areas: (1) Civil Engineering, (2) Transportation Planning, (3) Transportation Operations, (4) Policy and Finance, and (5) Public Involvement. A Request for Statements of Qualifications was issued on April 15, 2010 and a total of 37 Statements of Qualifications were received by the due date of May 27, 2010. An internal team of MAG staff reviewed the Statements of Qualifications and on July 22, 2010, recommended to MAG selecting six consultants for participation in the On-Call Transportation Planning Consultant Services program.

5G. Update of the Federal Functional Classification System

The most recent update to the federal functional classification of roadways in Maricopa County occurred in 2005 and primarily focused on the urban area. Since then, substantial growth has occurred and the Federal Highway Administration (FHWA) has modified the definitions used in the system and introduced significant data collection requirements. To address these issues, MAG staff is proposing a two-phase update to the system in the MAG region. The first phase will develop an updated arterial network for Regional Council approval by January 2011. The second phase will develop an updated collector network for approval by March 2011. The primary work would be performed by the MAG Street Committee with final review and approval conducted through the MAG Committee process. This item was on the agenda for information and discussion.

5H. New Finding of Conformity for the FY 2011-2015 MAG Transportation Improvement Program and Regional Transportation Plan 2010 Update, As Amended

The Management Committee, by consent, recommended approval of the new Finding of Conformity for the FY 2011-2015 MAG Transportation Improvement Program and Regional Transportation Plan 2010 Update, as amended. On July 28, 2010, the MAG Regional Council approved a Finding of Conformity for the FY 2011-2015 MAG Transportation Improvement Program (TIP) and MAG Regional Transportation Plan 2010 Update. Since that time, an amendment to the Regional Transportation Plan 2010 Update is required to incorporate public transit service level adjustments resulting from reductions in revenues, including the repeal of the Local Transportation Assistance Fund (LTAF), that were reflected in public transit service schedules published in July 2010. The conformity assessment for the proposed amendment, which includes a regional emissions analysis, concludes that the TIP and Regional Transportation

Plan 2010 Update meet all applicable federal conformity requirements and are in conformance with applicable air quality plans. On August 19, 2010, a 30-day public review period began on the conformity assessment and amendment. Comments are requested by September 20, 2010.

5I. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2011-2015 MAG Transportation Improvement Program (TIP). The proposed amendment and administrative modification involve several American Recovery and Reinvestment Act (ARRA) funded projects, including a City of Phoenix pavement preservation project and a Scottsdale park-and-ride project. In addition, the City of Mesa has proposed an amendment involving transit projects. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. This item was on the agenda for consultation.

5J. Project Changes - Amendment to the FY 2011-2015 MAG Transportation Improvement Program

The Management Committee, by consent, recommended approval of an amendment to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update to add a new highway safety project. The fiscal year (FY) 2011-2015 MAG Transportation Improvement Program (TIP) and Regional Transportation Plan 2010 Update were approved by the MAG Regional Council on July 28, 2010. Since that time, there has been a request from ADOT to add a new project to replace an analog radio system throughout the region. This project is requesting to use \$2.9 million of federal Highway Safety funds in federal fiscal year (FFY) 2010; ADOT manages the federal Highway Safety fund program. This request is time sensitive as the Federal Highway Administration stops accepting obligation requests for FFY 2010 on September 16, 2010.

5D. Consultant Selection for the Sustainable Transportation and Land Use Integration Study

This item was removed from the Consent Agenda.

On May 26, 2010, the MAG Regional Council approved the Fiscal Year (FY) 2011 MAG Unified Planning Work Program and Annual Budget, which provides \$750,000 to conduct a Sustainable Transportation and Land Use Integration Study. A Request for Proposals was advertised on June 29, 2010, and nine proposals were received. On August 26, 2010, a multi-agency review team evaluated the proposals, conducted consultant interviews, and recommended to MAG that Arup North American, Ltd. be hired to develop the study at a cost not to exceed \$750,000.

Ms. Robinson said that she understood that a multi-agency evaluation team had reviewed the proposals and made a recommendation to MAG to select a firm. She noted the firm is from Australia with an office in Los Angeles and she asked if there was not a local or state firm who could have done this work. Ms. Robinson commented that \$750,000 was a significant amount of money and working for a municipality, she was mindful of trying to keep the money in the community in these difficult economic times. Ms. Robinson stated that this was a huge amount of money to be sending out of the state, let alone out of the country.

Mr. Smith stated that he asked a similar question when he saw the evaluation team's recommendation, and he was told the group's expertise was superior to the other firms who submitted proposals. Mr. Smith noted that the team includes the Sacramento Association Council of Governments, which has experience doing this type of work. He added that MAG cannot select a consultant based on geographic location of a firm because federal funds are being used; the selection is based on a firm's merits.

Ms. Robinson asked for clarification that Sacramento's work is very similar and positive. Mr. Smith replied yes.

Mr. Crossman asked if a quality based selection process was used where a price is not negotiated until the final. Mr. Smith replied that this was a Request for Proposals process, not a Request for Qualifications.

With no further discussion, Ms. Peters moved to recommend approval of the selection of Arup North America, Ltd. as the consultant to develop the Sustainable Transportation and Land Use Integration Study for an amount not to exceed \$750,000. Mr. McClendon seconded, and the motion passed with Ms. Robinson and Mr. Crossman voting no.

5F. Programming of FY 2011 Highway Safety Improvement Projects and Amendment to the FY 2011 MAG Unified Planning Work Program and Annual Budget

This item was removed from the Consent Agenda.

The Arizona Department of Transportation (ADOT) distributes 20 percent of the federal Highway Safety Improvement Program (HSIP) funds the State receives to the Metropolitan Planning Organizations and Councils of Governments. The share received by MAG, starting in Fiscal Year (FY) 2010, is \$1 million each year and needs to be programmed for qualifying safety projects. For FY 2011, MAG-HSIP funded safety projects must be obligated by the ADOT deadline of May 1, 2011. The Transportation Safety Committee reviewed the availability of federal HSIP funds for road safety improvements in the MAG region, the urgency for FY 2011 MAG-HSIP project obligation, and generated a recommendation for the programming of safety projects in FY 2011. The Safety Committee recommendation not only addresses FY 2011, but also will be helpful in developing a systematic multi-year program for implementing road safety improvements across the MAG region. The MAG Transportation Review Committee recommended approval on August 31, 2010.

Sarath Joshua, MAG Intelligent Transportation Systems and Safety Program Manager, addressed the Committee on this agenda item. Mr. Joshua informed the Committee that the Arizona Department of Transportation (ADOT) receives approximately \$30 million in HSIP funds each year. He reported that in beginning with 2010, ADOT is distributing HSIP funds to the Councils of Governments and Metropolitan Planning Organizations throughout the state. Mr. Joshua noted that the MAG region received \$1 million for FY 2010 in HSIP funds, which was allocated to the quick implementation of projects, such as pedestrian countdown signals, etc. Mr. Joshua stated that the MAG Safety Committee recommended that some of the FY 2011 HSIP funds be used to do road safety assessments. He stated that the Safety Committee and the Transportation Review Committee recommended that for FY 2011, \$800,000 be allocated toward the implementation of

projects, as was done in FY 2010. Mr. Joshua stated that the committees also recommended that \$200,000 of the HSIP funds plus an additional \$200,000 of MAG planning funds be allocated toward road safety assessments to study high risk crash locations throughout the region.

Mr. Smith stated that the bottom line is that MAG has not fared well with safety funding at ADOT. He noted ADOT's concern that the funds are not moved fast enough and the end of the fiscal year approaches and they have a lot of money to spend and the projects are not ready. This agenda item is to get projects ready in order that MAG can compete.

Mr. Joshua explained that 70 percent of the ADOT HSIP funds are awarded across the state competitively using risk as criteria. He added that MAG has not done well in the competition and this item is to position projects in the MAG region in high risk locations by conducting the road safety assessment. Mr. Joshua stated that the MAG region accounts for two-thirds of the crashes and 45 percent of the crash fatalities statewide.

Mr. Cleveland asked for clarification that this was similar to having an environmental assessment ready and when funds become available, the projects can be ready to go. He commented that having the safety crash studies in place allows for proceeding straight to construction as opposed to studying the issue and then securing the funds.

Mr. Smith stated that Mr. Cleveland was exactly right. He added that MAG took its concerns to ADOT and they changed the process. Mr. Smith advised that safety planning cannot be done on a one-year basis – it has to be a multi-year process. Mr. Smith stated that federal safety legislation states that safety has to be looked at quantitatively. He remarked that the MAG region has the accidents, it is just not receiving its fair share of funding, especially on the local systems. Mr. Smith noted that a lot of the funds go toward the state highway system. He added that at one time, this region had the highest pedestrian fatality rate in the nation.

Ms. Robinson commented that it appears the allocations are based on the volume of crashes, not safety, for example, an intersection has 200 crashes per year versus an intersection that has two crashes per year.

Mr. Joshua explained the methodology used by the Safety Committee in the rankings. He said that a list is generated by MAG and is based on a very sound methodology developed by the Wisconsin DOT. Mr. Joshua stated that MAG considers four factors in ranking intersections: Frequency (total number of crashes); Crash severity (number of fatalities and serious injuries); Type of collision; Crash rates (which accounts for volume of traffic that passes through an intersection). Mr. Joshua noted that crash severity is weighted the highest (40 percent) and the others are 20 percent each. He explained that an examination of 17,000 intersections in the region determined the 100 intersections with highest risk, and even though there is not enough money to make improvements to all of the 100 intersections, MAG will work toward solutions with the jurisdictions in which the most severe crash intersections are located. Mr. Joshua added that as part of SAFETEA-LU, ADOT is to provide to the Federal Highway Administration a list of the most dangerous 20 intersections in the state, and he noted that 12 of the 20 are located in the MAG region. He commented that this region has a severe intersection crash problem that might be addressed with the safety funding.



Ms. Robinson said that it appeared the smaller communities will not have the opportunity to use this safety money for improvements unless there are fatalities in every crash.

Mr. Smith said that what he heard was that fatalities receive the highest ranking and fatalities are what the safety funds are trying to reduce. He said that he thought it was better to concentrate on the most dangerous intersections rather than spreading the money around. Mr. Smith stated that MAG has been saying to ADOT that it is spreading the safety funds that should be distributed to other parts of the state.

Mr. Cleveland asked if the project applications are anticipated for the 2012 to 2013 funding cycles. Mr. Joshua replied that the projects being studied in the road safety assessments will be considered for a recommendation by the Safety Committee and will go through the MAG committee process for approval. Once approved, the projects will go through a road safety assessment and those will generate into larger projects which can then compete for the funds statewide.

With no further discussion, Vice Chair Meyer moved to recommend approval of an amendment to the FY 2011 MAG Unified Planning Work Program and Annual Budget to provide \$200,000 of MAG Federal Highway Administration (FHWA) funds and \$200,000 of FHWA Highway Safety Improvement Program (HSIP) funds allocated to MAG by the Arizona Department of Transportation, to perform Road Safety Assessments (RSAs), develop Project Assessments (PAs)/Design Concept Reports (DCRs) for high risk intersections identified through the network screening process based on the Top 100 Intersection List and the state's Top Five Percent Report, and hold a regional workshop on RSAs (in the amount of \$2,000), and to recommend approval of the programming process for the remaining \$800,000 of FY 2011 safety projects for systematic safety improvements involving projects that are classified as Categorical Exclusion Group 1. Mr. Kross seconded, and the motion passed unanimously.

6. Proposal to Advance the Construction for a Portion of the Williams Gateway Freeway

Bob Hazlett, MAG Senior Engineer, stated that the City of Mesa has requested consideration of a proposal to advance the construction for the segment of the Williams Gateway Freeway from the Santan Freeway to Ellsworth Road. Funding for the construction of this segment is programmed in Fiscal Year (FY) 2016 and Mesa is proposing to advance construction to FY 2012. Mr. Hazlett noted that a request to accelerate the design, right of way and construction of this segment was originally approved by MAG in January 2009. Due to a sweep of the funds that had been designated for the interest expense for the accelerated project by the state legislature, in May 2009, MAG approved a request by Mesa to accelerate only the design and right of way and that the funding that has been programmed for the advanced acquisition of right of way in the corridor be used to cover the interest expense associated with the financing necessary to accelerate the design and right of way activity.

Mr. Hazlett stated that the Arizona Department of Transportation (ADOT) is currently acquiring the right of way and is starting the final design for the segment. Mr. Hazlett stated that the City of Mesa proposes using the remaining \$2 million of advance right of way funds for interest expense. The net interest expense after the \$10 million state set aside and any savings from the

original interest expense fund allocation would be divided equally between the Freeway Program and Mesa, as stated in the MAG Highway Acceleration Policy adopted in February 2008.

Mr. Hazlett displayed a chart of the current and proposed financial summary of the cost estimates, interest rates, estimated net interest, available funding, remaining interest expense, Mesa's share of the interest expense and the program's share of the interest expense. He said that the program currently estimates construction costs at \$158.3 million, and the financial analysis for the proposed acceleration includes issuing \$130 million of Highway Project Advancement Notes (HPAN) to support the construction of the project.

Chair Swenson thanked Mr. Hazlett for his presentation and asked if there were questions.

Mr. Smith stated that there might be questions why is this being done now. He explained that due to the pending air quality conformity freeze that would be explained under agenda item #10, it is important the projects are put in the TIP now. He advised that putting projects in the TIP should not be delayed, because if EPA takes action in January 2011, MAG might be unable to amend the TIP at that point.

Chair Swenson asked if an item on this topic should be on the next agenda. Mr. Smith replied that Eileen Yazzie, MAG Transportation Program Manager, would address this later in agenda item #10.

Mr. McClendon referenced the funds originally approved for this project that were swept by the legislature. He asked if the \$10 million noted in the agenda material was a different pot of money.

Scott Butler addressed the question by Mr. McClendon by saying that the funds for this project were originally from the STAN account that subsequently was swept by the Legislature. Mr. Butler explained that just as the City was ready to advance all three phases, the funds for the construction phase were swept, which allowed the City to proceed with the design and right of way only. He stated that in 2009, the legislature created a fund to replenish the STAN funds swept from this project. Mr. Butler stated that the City of Mesa is able to leverage the funds at this time. He advised that with the lower prices of construction and commodities, the engineer's construction estimate that was \$158 million in the TIP is now \$119 million, a savings of nearly \$40 million to the program of building the project now. Mr. Butler stated that the City of Mesa will be issuing HPANs, per state statute, in the amount of \$130 million. He said that this amount will allow for unforeseen changes. Mr. Butler noted that the City of Mesa is taking the risk and will be responsible for the payback. He commented that the City feels this is an opportune time to be building infrastructure.

Mr. McClendon expressed his appreciation for building projects now and agreed that it is an opportune time. He recalled that when the cities of Avondale, Goodyear and Litchfield Park got extra money from the legislature they were roundly criticized and the MAG Regional Council would not let them have the full amount. Mr. McClendon stated that he would support the request but he still remembered that.

Ms. Robinson asked if the Transportation Review Committee had considered this item. Mr. Smith replied that project accelerations traditionally do not go through the Transportation Review Committee.

With no further discussion, Ms. Kraus moved to recommend approval of the Mesa request to advance the construction of an interim connection of the Williams Gateway Freeway between the Santan Freeway and Ellsworth Road by approximately four years, to be incorporated into the MAG FY 2011 to FY 2015 Transportation Improvement Program for FY 2012 and the Regional Transportation Plan 2010 Update for an air quality conformity analysis, and authorize the MAG Executive Director to enter into an agreement with ADOT and Mesa. Mr. Cleveland seconded, and the motion passed unanimously.

7. State of Transit in the Region

Ms. Yazzie gave a presentation on the prioritization guidelines for transit programming. She said that this topic was a two-part report, one this month followed by a second report in October. Ms. Yazzie stated that MAG is tasked with programming federal funds for transit. Ms. Yazzie reported that on July 28, 2010, the MAG Regional Council approved of the Draft FY 2011-2015 MAG TIP and that the programming of preventative maintenance for transit be reviewed for potential amendments/administrative modifications no later than December 2010. She stated that the region has programmed almost \$30 million of federal funds in the FY 2011-2015 TIP for regional preventative maintenance. She said it was done as a placeholder with the understanding that prioritization guidelines for federal funds would be established in the future through the MAG committee process.

Ms. Yazzie explained that regional prioritization guidelines were developed by the Regional Public Transportation Authority (RPTA) in the early 2000s and for the American Recovery and Reinvestment Act (ARRA) unspent funds, however, they are out of date and not applicable at times.

Ms. Yazzie stated that this presentation would provide background information and help gain an understanding of the state of transit in the region and to receive policy direction that will assist in the development of regional prioritization guidelines for programming federal funds. She indicated that this month she would be covering governance and old and new prioritization guidelines.

Ms. Yazzie displayed two charts that listed programming responsibilities for federal funds. She said that fiscal year 2010 was a transition year for transit programming. In the past, the effort was led by RPTA using prioritized guidelines and last year, the responsibility shifted to MAG. Ms. Yazzie noted several sources of transit funding and the agency responsible for programming the funds. She stated that the 5307 fund, which total about \$50 million per year, is the largest source of federal transit funds in the region and it is MAG's responsibility to program the funds in cooperation with the transit operators in the region. The other funds MAG programs are the 5309 funds and Congestion Mitigation and Air Quality funds.

Ms. Yazzie then moved on to Governance. She said that Senate Bill 1063, enacted in April 2010, defines the responsibilities of RPTA and MAG for implementing the public transportation

element of the Regional Transportation Plan, and she noted that MAG must approve substantial changes to the budget that materially affect the corridor performance or change corridor service. Ms. Yazzie stated that a Memorandum of Understanding, signed in April 2010, replaces the 2007 Resolution and sets forth the basic structure for cooperative planning and decision making regarding transit planning and programming between MAG, RPTA, METRO, the City of Phoenix, and all participating local government agencies.

Ms. Yazzie reviewed the old guidelines included in the agenda packet that had been developed by RPTA, and pointed out sections 2.2, 2.6, and 3.3 that relate to preventative maintenance. She noted that in 2002, the decision was made at RPTA to freeze the amount dedicated to preventative maintenance at \$5.6 million, and adjusted for inflation is currently approximately \$6.4 million. Ms. Yazzie commented that it is now a different environment and it is viewed that preventative maintenance can save money.

Ms. Yazzie then addressed Americans with Disabilities Act (ADA) Transit. She said that federal 5307 allows 10 percent of an allocation to be used for ADA Transit support including funding operations and preventative maintenance. Ms. Yazzie stated that this is currently not addressed in programming guidelines.

Ms. Yazzie said that there is no limit to the amount of preventative maintenance that can be funded by 5307 federal funds. Ms. Yazzie noted that the estimated cost of preventative maintenance in the region for 2009 was \$44 million, and she added that 13 percent of 5307 funds went toward preventative maintenance in the region.

Ms. Yazzie displayed a chart of the average cost per mile of fixed routes in fiscal year 2009 when preventative maintenance is funded using three options: with current funding of 13 percent by 5307 funds; with 20 percent funded by 5307 funds, and with 40 percent funded by 5307 funds. She noted that the costs displayed were not actual costs.

Ms. Yazzie stated that modifications to the guidelines could affect the TIP and possibly the Transit Life Cycle Program. She remarked that once the input is received on the prioritization guidelines, they will have to go back and see the impacts. Ms. Yazzie noted upcoming meetings when this topic will be discussed: in September at the Transit Operations Working Group, the Transportation Policy Committee and Regional Council. She noted that the information from Operators Working Group will then be presented at the Transportation Review Committee. In October, the information from the Operators Working Group will be presented at the Transit Committee, the Management Committee, the Transportation Policy Committee, and the Regional Council. Ms. Yazzie noted the possibility of a Transit Stakeholders Working Group.

Chair Swenson thanked Ms. Yazzie for her report and noted that this was on the agenda for information and discussion only. No questions from the Committee were noted.

8. ARRA Local Highway Funds: Project Changes - Amendment to the FY 2011-2015 MAG Transportation Improvement Program

Ms. Yazzie presented the request from the City of Phoenix to move ARRA Local Highway funds from the PHX09-804 project, which will now be funded with local funds, to the PHX09-801

project to increase the project budget and the number of miles of roadway to be repaved. She noted that this request is time sensitive as the Federal Highway Administration stops accepting obligation requests on September 16, 2010, and due to the tight timeframe for ARRA projects, this was the first time this item was being heard.

Ms. Yazzie explained the requested change by saying that the City of Phoenix encountered a construction issue with an ADA project. She stated that \$1.2 million in ARRA funds were originally programmed for this project and the request is to move those funds to a pavement preservation project and to fund the ADA project with local funds. Ms. Yazzie advised that the request complies with the adopted policy for ARRA projects. She added that approval will be considered by the Executive Committee on September 13, 2010.

Chair Swenson thanked Ms. Yazzie for her report. He asked for clarification that this item was being heard for the first time by the Management Committee due to the federal deadline for ARRA funds. Ms. Yazzie replied that was correct.

Mr. Butler moved to recommend approval of an amendment to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update to move \$1,281,693 of ARRA funds to PHX09-801 and increase the project budget accordingly. Ms. Kraus seconded, and the motion passed unanimously.

9. ARRA Transit Funds: Project Changes - Amendment to the FY 2011-2015 MAG Transportation Improvement Program

Ms. Yazzie presented requests for changes to project funded by ARRA Transit funds. She said that the first request is from the City of Scottsdale regarding a Loop 101/Scottsdale park and ride. Ms. Yazzie stated that the City is requesting to move \$5 million of ARRA Transit funds from the construction phase to the design phase.

Ms. Yazzie stated that last week, the Federal Transit Administration deemed three design projects for park and rides led by the City of Mesa (US-60/Country Club, Loop 202/Power Road, and Gilbert Road/McDowell Road) ineligible for federal funding, including ARRA funds. The three projects are MES10-801T, MES10-803T, and MES10-804T with a total of \$1,897,500 in ARRA funds. The City of Mesa is requesting that \$1,771,250 of ARRA Transit funds be programmed for the construction of the Gilbert/L202 park-and-ride, MES10-805T and \$126,250 is programmed for the construction of L202/Power park-and-ride, MES08-801T. The MES10-805T project is currently programmed with \$517,750 of ARRA Transit, \$1,417,000 of federal 5309-rail and fixed guideway modernization (FGM), \$218,471 of regional funds, and \$135,780 of local funds. The funding changes for MES08-801T would decrease the 5309-FGM by \$101,000 from \$1,025,800 to \$924,800 and decrease local funds by \$25,250 from \$256,450 to \$231,200.

Ms. Yazzie stated that on December 9, 2009, the MAG Regional Council approved a set of prioritization guidelines for unspent or redistributed ARRA funds. Following the approved prioritization guidelines coupled with the project status, the unspent \$1,897,500 of ARRA funds would be allocated to the 2.1 priority to increase operating assistance for bus and rail.

Ms. Yazzie stated that the request by the City of Scottsdale presents no technical impacts. She noted that the City of Mesa request also affects the programming for FY 2009 federal transit 5309-FGM funds and MAG would have to reprogram approximately \$1.5 million of 5309-FGM in the next committee cycle. She noted that a recommendation on this item would be presented to the Executive Committee on September 13, 2010.

With no questions presented to Ms. Yazzie, Chair Swenson called for a motion.

Ms. Peters moved to recommend approval of an amendment to the FY 2011-2015 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2010 Update for the Scottsdale request to move \$183,498 in ARRA funds from a construction project to a design project and to recommend the city of Mesa request to program \$1,771,250 of ARRA transit funds for the construction of the Gilbert/L202 park-and-ride project, MES10-805T, and \$126,250 of ARRA transit funds for the construction of L202/Power park-and-ride, MES08-801T. Vice Chair Meyer seconded, and the motion passed unanimously.

10. Update on Exceptional Events and MAG Five Percent Plan for PM-10

Lindy Bauer, MAG Environmental Director, provided a report on recent events regarding the MAG Five Percent Plan for PM-10 (Plan). She first gave a recap of what has taken place to date. Ms. Bauer stated that MAG submitted the Plan on time to EPA on December 31, 2007. She noted that Maricopa County and the Arizona Department of Environmental Quality (ADEQ) both have air quality monitors, and she added that ADEQ analyzes exceedances that are exceptional events and prepares the documentation so exceptional events will not be counted against the region. Ms. Bauer stated that ADEQ assured MAG 2008 and 2009 had clean data and the exceedances were due to high wind exceptional events.

Ms. Bauer stated that the Environmental Protection Agency (EPA) was late in taking action on the plan and missed the June 2009 deadline. Due the EPA's failure to take action, the Arizona Center for Law in the Public Interest (ACLPI) filed a notice of intent to file a lawsuit against EPA on August 2, 2009. Ms. Bauer noted that after the ACLPI filed the notice of intent, EPA began to review the plan that MAG had submitted in 2007.

Ms. Bauer reported that the ACLPI filed a lawsuit to force EPA to take action on the Plan in December 2009 because the EPA still had not taken action on the Plan. She stated that on May 25, 2010, the EPA came to a meeting in Phoenix and announced nonconcurrence with four high wind exceptional events at the West 43rd Avenue monitor. She advised that the exceedances will count as a violation against the region and EPA indicated they had to do their review of the Plan using its Exceptional Events Rule, which they admitted at the meeting is flawed. Ms. Bauer stated that MAG asked the timing and were told by EPA they could not discuss the issue because they were in confidential negotiations with ACLPI.

Ms. Bauer stated that EPA entered into a proposed consent decree with the ACLPI to propose action on the Plan on September 3, 2010, and finalize action on January 28, 2011. She noted that ADEQ and MAG submitted comments to EPA on their exceptional events technical review document, and she added that on August 27, MAG, ADEQ, Maricopa County, and the Salt River Pima-Maricopa Indian Community also submitted comments on the proposed consent decree

timetable and requested a six month delay on the proposed and final action. Ms. Bauer stated that EPA responded with a letter to ADEQ indicating that the proposed action would occur on September 3, 2010, regardless.

Ms. Bauer stated that ADEQ and MAG submitted additional exceptional event documentation on the exceptional events to EPA on August 27, 2010. She said that on August 30, 2010, the Arizona Congressional Delegation sent a letter to EPA requesting a six month delay, and also had a conference call with EPA on September 2, 2010, to try to get EPA to agree to the six month delay. Ms. Bauer stated that ADEQ and MAG also sent a joint letter to EPA requesting a six month delay. On September 2, 2010, the EPA responded to the Congressional Delegation in a letter indicating that the proposed action will occur on September 3, 2010, and that hopefully, sanctions will not be imposed and work could continue on a limited number of projects while the issues are being resolved.

Ms. Bauer stated that the most recent action took place on September 3, 2010, when EPA proposed to partially disapprove and approve the plan, which has the same consequences as a disapproval. She noted that approvability issues were identified in EPA's 80 page notice. Ms. Bauer advised that the approvability issues did not cause the high wind exceptional events at the West 43rd Avenue monitor.

Ms. Bauer stated that MAG and ADEQ believe that the plan has been effective – there are 53 aggressive control measures in the Plan. Ms. Bauer expressed her appreciation to Maricopa County, the cities, the towns, the state, and all the entities who committed to implementing these measures. She noted that there have been no violations during stagnant conditions at the monitors since the plan was submitted in 2007.

Ms. Bauer continued her report by saying that ADEQ and MAG believe that the region had its first year of clean data in 2008. She commented that EPA disagrees, but has not considered all of the scientific information submitted. Ms. Bauer stated that at risk are \$1.7 billion in FHWA funds in the MAG Transportation Improvement Program (TIP) and the \$7.4 billion TIP itself. She advised that a conformity freeze on the TIP could occur by February 28, 2011. Ms. Bauer explained that the first four years of projects in the TIP could proceed, but no new projects that would need a conformity determination could be added. She gave as an example, the MAG region could not take advantage of new economic stimulus funds if they are provided because no new projects that require a conformity determination could be added to the TIP.

Ms. Bauer then mentioned the analysis done by MAG's Transportation Director, Eric Anderson, that showed \$1.7 billion equates to 61,000 jobs and \$7.4 billion equates to 215,000 jobs. Ms. Bauer remarked that unless the flawed Exceptional Events Rule is fixed, this issue will remain unresolved. She said that MAG cannot control high winds.

Ms. Bauer then reviewed the EPA proposed partial approval and disapproval of the Plan. She indicated that EPA proposed disapproval of the 2005 baseline emissions inventory prepared by Maricopa County. Ms. Bauer explained that the County used a methodology to calculate rule effectiveness, and the EPA disagreed with that methodology. Ms. Bauer stated that the projected inventories prepared by MAG were based on the 2005 inventory. Ms. Bauer stated that EPA indicated that the modeling attainment demonstration done by MAG cannot be approved if there

is no attainment at the monitor. She commented that this is a very important piece and ties to EPA nonconcurrence with the four high wind exceptional events.

Mr. Smith asked Ms. Bauer to explain the County's preparation of the 2005 baseline emissions inventory. Ms. Bauer stated that Maricopa County prepares the baseline emissions inventory which includes the sources and the percent contribution coming from those sources. She stated that the County also prepares a rule effectiveness study and the County determines the effectiveness of the rules. Ms. Bauer noted that this is very important because it is used to determine the emissions coming from sources for the inventory. She continued by saying that the County did its analysis based on EPA guidance, but the EPA says it has new guidance and disagrees with the County's calculations.

Mr. Smith stated it was not clear that the new guidance EPA gave to the County was required. Ms. Bauer stated that it appeared to be more permissive according to County staff, and they used the guidance they were familiar with and that they had used in the past.

Ms. Bauer stated that with the modeling attainment demonstration, EPA had issues with the measure assumptions MAG used based on increased compliance. She said that the EPA indicated that the five percent reduction in emissions calculation was based on the 2005 inventory and did not provide for reductions after 2010 since the Plan demonstrated attainment by December 31, 2010. Ms. Bauer stated that EPA said it should have gone past 2010, until attainment is demonstrated.

Ms. Bauer displayed a chart of the role of the 2005 emissions inventory on the Plan.

Mr. Smith stated that the emissions inventory can be fixed, but the West 43rd Avenue monitor will still go off. He said that the point staff has been trying to make to EPA is to stop doing the planning exercise and address the West 43rd Avenue monitor. Mr. Smith stated that staff think that the problem is high winds. He stated that EPA has now shifted gears to focus toward a planning exercise. Mr. Smith stated that staff believe the monitor report was clean, but the exceptional event rule has not been fixed.

Ms. Bauer continued the review of the EPA proposed partial approval and disapproval of the Plan. She said that reasonable further progress and milestone demonstrations cannot be approved since the area cannot attain the standard by 2010. She noted that this is tied to the EPA nonconcurrence with exceptional events. In addition, EPA says contingency measures are not extra measures because the region cannot attain the standard by 2010. She explained that the contingency measures were designed for early implementation at the same time as the regular Plan measures in order to achieve the extra benefits simultaneously. Ms. Bauer stated that the EPA pointed out the benefits were based on the inaccurate 2005 emissions inventory, and disagreed with the assumptions MAG made on the measures, criticized local resolutions conditioned with good faith efforts and funding availability. Ms. Bauer noted that the language used in the resolutions has been in place since 1987. Ms. Bauer stated that EPA had issues with measures that required further regulatory actions, measures not fully implemented yet, and ordinances submitted by ADEQ as supplemental information rather than as a SIP revision. Ms. Bauer stated that EPA also proposed disapproval of the 2010 Motor Vehicle Emissions Budget for conformity.



Ms. Bauer stated that EPA proposed approval of 20 measures in the Plan mandated by Senate Bill 1552. She added that EPA also proposed approval of the Agricultural Best Management Practices Guidance Booklet and Pocket Guide.

Ms. Bauer stated that the EPA proposed limited approval and disapproval of agricultural regulations. The agricultural rules strengthen the SIP but do not meet the requirements for enforceable Best Available Control Measures. The EPA also pointed out that the Agricultural general permit rule needs to be revised.

Ms. Bauer then addressed the consequences of Plan disapproval. She advised that a conformity freeze would occur 30 days after final disapproval is published in the Federal Register, then only projects in first four years of the conforming TIP and Regional Transportation Plan (RTP) can proceed. No new TIPs, RTPs or projects until a Five Percent Plan revision is submitted that fulfills the Clean Air Act requirements, EPA finds the conformity budget adequate or EPA approves the submission, and conformity to the plan revision is determined. Ms. Bauer stated that the Clean Air Act sanctions would be imposed if the problem is not corrected within 18 months from disapproval action would result in tighter controls on major industries, and if not corrected within 24 months after disapproval action could be the loss of federal highway funds. Ms. Bauer advised that the imposition of highway sanctions may trigger a conformity lapse and major projects in the \$7.4 billion TIP could not proceed.

Ms. Bauer said that a new emissions inventory was completed by the County on June 30, 2010. EPA indicated to her that the inventory appears to agree with their guidance. She stated that MAG will need to complete a Best Available Control Measure Analysis and look at measures from other serious PM-10 areas that have been approved and compare MAG's Plan to those measures. Ms. Bauer stated that MAG may need to add more measures to reduce emissions by five percent per year until attainment, as measured at the monitors.

Mr. Smith stated that the problem is with the West 43rd Avenue monitor. He advised that a measure must be applied regionwide, which means that Chandler or Queen Creek must implement the measure, and this is why this does not make sense. Mr. Smith remarked that this is why MAG keeps focusing on the West 43rd Avenue monitor. He added that unless the exceptional events rule is fixed MAG will be back at the same place in a couple of years.

Ms. Bauer stated that MAG will need to revise the modeling in the Plan. She noted that staff will be working with the County on the 2008 emissions inventory. Ms. Bauer commented that there are new categories and staff will see how they stack up against the emissions inventory. She stated that ADEQ will be working with the Agricultural Best Measures Committee to resolve agricultural BACM and enforcement issues. Ms. Bauer noted that three years of clean data at all PM-10 monitors will be needed in order for EPA to say the region has met the standard for attainment. She advised that staff is working as fast as possible to address the approvability issues. It was noted that there has been rain and water released into the river in 2010 and there were no violations at any of the monitors in 2010.

Ms. Yazzie continued the presentation and gave an overview of the impact of disapproval of the Plan would have on transportation programming, specifically the TIP. She noted that the TIP and

RTP were recently approved for conformity by the Federal Highway Administration and the Federal Transit Administration.

Ms. Yazzie stated that a conformity freeze would focus on regionally significant projects, regardless of funding source, and transportation projects that are part of the one-mile grid, transit included. She advised that it applies to any project that is included transportation model, and projects programmed with federal funds. Ms. Yazzie noted that EPA's proposed timeframe is January 28, 2011 for final action.

Ms. Yazzie then covered what would not be allowed in a conformity freeze: no new TIP reports; no new projects can be added to the TIP that affect conformity; no new construction projects, no amendments to projects that trigger conformity determination, such as scope changes or location changes. Ms. Yazzie mentioned that MAG was not planning to do a TIP report, anyway, since the 2011 TIP had just been approved.

Ms. Yazzie then addressed what could proceed in a conformity freeze: projects in the first four years of the TIP (approximately 600 to 700 projects); exempt projects; and new exempt projects, such as safety, repavement, mass transit, operations, bicycle and pedestrian, planning, and design work. Ms. Yazzie noted material entitled "Exempt Projects" had been provided at each place. She advised that some administrative modifications to the TIP, such as funding amounts, advancements, deferments, or descriptions, could still proceed.

Ms. Yazzie stated that with a conformity freeze a possibility, the transportation programming goal is to ensure that the FY 2011- 2015 MAG TIP and 2010 RTP report the current status of regionally significant projects and to make necessary project changes prior to January 28, 2011. Ms. Yazzie stated that the Transportation Review Committee will be working on project changes at its September 23 meeting and she requested that any changes be submitted to MAG by September 13, 2010. Ms. Yazzie stated that in October, the Management Committee, Transportation Policy Committee, and Regional Council will consider the project changes to amend or administratively modify the current TIP, RTP, and Arterial Life Cycle Program. She advised that MAG needs to know of any project changes by the end of November at the very latest in order to meet the December timeframe.

Ms. Yazzie commended member agency staff who worked very hard to get all the projects in the TIP and ensure that the scheduling and funding are accurate. She added that MAG staff will be preparing a frequently asked questions sheet and sending it out next week.

Chair Swenson thanked Ms. Bauer and Ms. Yazzie for their detailed reports and the Committee for their indulgence because this has taken some time today. He said there is probably nothing more important facing the region than resolving this issue and being prepared to move through the challenges being presented. Chair Swenson asked members if they had questions.

Mr. Cleveland asked Ms. Bauer if there had been any indication of the speed with which EPA will provide approval or disapproval. He mentioned how the ACLPI forced the EPA to take action by filing a lawsuit. Mr. Cleveland stated that if the EPA had answered the question at the very beginning whether the model was correct, the assumptions would have been very different, rather than waiting 18 months. He said that after serving as Chair of the Air Quality Committee for

seven years, and Mr. Kross also serving as Chair, if the process is flawed, the parties need to get into the same room and agree on the basics. Mr. Cleveland stated that the EPA appears to indicate the next process will be all right the model, but what is to say it will not be year two at the end of the process and things are expiring and the process will be repeated. He said that his question is whether there has been a conversation with EPA as to when they will give MAG incremental and final decisions if the plan meets the test.

Ms. Bauer replied that EPA had not given that type of indication, only when they expect to go forward with the final disapproval. She said that on September 2, in the letter to the Congressional Delegation, EPA indicated it could not take action on a revised Plan before January 28, 2011. Ms. Bauer stated that staff is currently assessing the damage and figuring out how fast the issue can be resolved. She noted that Maricopa County submitted its periodic emissions inventory in May or June 2007 to EPA, who has waited until now for communication.

Mr. Smith stated that the whole structure needs examination. He said that all of the western states feed their exceptional events to one person in San Francisco, and there is no wonder why EPA is late. In addition, EPA changed this staff person with whom ADEQ was used to working. Mr. Smith commented that it seems a structural change is needed to allow states who say these exceptional events are clean to prevail. He stated that MAG has a certified transportation planning process and he suggested having an exceptional events certification process for states. Mr. Smith stated that all of the exceptional events cannot be submitted through a tiny funnel and expect a timely response.

Mr. Cleveland asked if there had been discussion with EPA to take EPA funding, some demonstration funding, or other funding, and doing something to eliminate the conditions at the West 43rd Avenue monitor that include a dry riverbed with silty materials that are picked up when the wind comes. Mr. Cleveland stated that the strategy of the Rio Salado extension could be implemented, or you could take \$1 billion of asphalt and pave the area to eliminate the movement of soil. He commented that he thought a conversation with EPA was needed to determine the alternatives for a natural condition of a riverbed. Mr. Cleveland suggested extending the Tempe Town Lake so all of the rivercourse is in a natural condition of water.

Ms. Peters stated that changing the land use in the vicinity of the West 43rd Avenue monitor has been discussed. She said Phoenix with the Army Corps of Engineers has an ongoing project in the area which extends to 83rd Avenue that is just in the preliminary design phase. Ms. Peters stated that the project has the potential to change conditions there, but also the surrounding land use which in part is contributing to some of the problems. She expressed that she believed the problem is not in our control, but is due to natural conditions and wind.

Chair Swenson stated that updates on the Plan issues will be provided at future meetings.

#### 11. Sustainable Communities Regional Planning Grant Program

Due to time constraints, this agenda item was not heard.

12. Request for Future Agenda Items

Topics or issues of interest that the Management Committee would like to have considered for discussion at a future meeting will be requested.

No requests from the Committee were noted.

13. Comments from the Committee

An opportunity will be provided for Management Committee members to present a brief summary of current events. The Management Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

No comments from the Committee were noted.

Adjournment

With no further business, Mr. Crossman moved, Mr. Boggs seconded, and the motion passed to adjourn the meeting at 1:30 p.m.

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Chair

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Secretary